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Tamara B. McFarland
Tamara B. McFarland

9-19-05
Date of Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Lail et al.)
Serial No.: 10/661,204) Art Unit: 2839
Filed: September 12, 2003) Examiner: Hyeon, Hae M.
Title: OPTICAL TUBE ASSEMBLY HAVING
A DRY INSERT AND METHODS OF
MAKNG THE SAME

INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, Applicants bring to the attention of the Examiner the document(s) listed on the attached PTO 1449. This Information Disclosure Statement is being filed:

☐ Under 1.97(b) after the filing date of the application, but, to the best of Applicants' knowledge:

☐ within three (3) months of the filing date of the National application, which is not a continued prosecution application (CPA) under § 1.53(d); OR

☐ within three (3) months of the date of entry of the National stage as set forth in § 1.491 in an international application; OR

☐ before the mailing of a first Office Action on the merits; OR

☐ before the mailing of the first Office Action after the filing of a Request for Continued Examination (RCE) under § 1.114.

☒ Under 1.97(c) after the events recited above, but, to the best of Applicants' knowledge before the mailing date of any of a final action under § 1.113, a Notice of Allowance under § 1.311, or an action that otherwise closes prosecution in the application, and this submission is accompanied by:

☐ the statement specified in § 1.97(e); OR

☒ the fee set forth in § 1.17(p).

☐ Pursuant to 1.97(d) after the events recited above, but, to the best of Applicants' knowledge before payment of the issue fee, and this submission is accompanied by:

☐ the statement specified in § 1.97(e); AND

☐ the fee set forth in § 1.17(p).

STATEMENT SPECIFIED IN § 1.97(e)

Pursuant to 1.97(e), Applicants hereby state and affirm that:

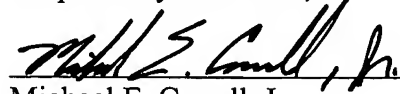
☐ each item of information contained in the information disclosure statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of this information disclosure statement; OR

☐ no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in § 1.56(c) more than three (3) months prior to the filing of this information disclosure statement.

☒ Pursuant to the waiver of the requirement under 37 CFR 1.98(a)(2)(i), no copies of U.S. patents and/or U.S. patent application publications are included herewith because the above-identified application was filed after June 30, 2003.

Applicants respectfully request that the Examiner consider the listed document(s) and indicate that they were considered by making appropriate notations on the attached form. This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed document(s) are material or constitute "prior art." If the Examiner applies any of the document(s) as prior art against any claims in the application and Applicants determine that the cited document(s) do not constitute "prior art" under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such document(s). Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed document(s), should one or more of the document(s) be applied against the claims of the present application. If there are any fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 19-2167.

Respectfully submitted,



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Date: September 19, 2005

FORM PTO-1449 U.S. Department of Commerce Patent and Trademark Office				Attorney Docket Number: C0025A		Serial Number: 10/661,204	
LIST OF RELATED DOCUMENTS CITED BY APPLICANT (Use several sheets if necessary)				Applicant: Lail et al.			
SEP 22 2005 PATENT & TRADEMARK OFFICE				Filing Date: September 12, 2003		Group: 2839	
U. S. PATENT DOCUMENTS							
Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
	AA	6,711,329B2	3/23/04	Zelesnik	385	100	1/10/02
	AB	6,586,094B1	7/1/03	Rebouillat et al.	428	372	11/19/99
	AC	6,574,400B1	6/3/03	Lail	385	109	3/26/98
	AD	5,689,601	11/18/97	Hager et al.	385	100	8/24/95
	AE	5,684,904	11/4/97	Bringuier et al.	385	109	6/10/96
	AF	5,377,290	12/27/94	Ohta et al.	385	100	5/27/93
	AG						
	AH						
	AI						
	AJ						
FOREIGN PATENT DOCUMENTS							
		Document Number	Date	Country	Class	Subclass	Translation Yes No
	AK						
	AL						
	AM						
	AN						
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)							
	AO	United States Patent Application Publication No. 2003/0068147A1, April 10, 2003					
	AP						
	AQ						
EXAMINER					DATE CONSIDERED		

*EXAMINER Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.